

## **REMARKS**

In the Office Action, the Examiner objected to the drawings, rejected claim 5 under 35 USC §102, first paragraph, rejected claims 1-5 under 35 USC §102, second paragraph, and rejected claims 1-2 under 35 USC §102(b). These objections and rejections are fully traversed below. In addition, the Examiner found claim 3 to recite allowable subject matter.

Claims 1, 3, 4, 5 and 6 have been amended to correct minor informalities and/or to further clarify the subject matter regarded as the invention. In addition, new claims 7-12 have been added to the application. Claims 1-12 are now pending. In addition, a few minor amendments have been made to the specification to improve its form.

Reconsideration of the application is respectfully requested based on the following remarks.

### **OBJECTION TO THE DRAWINGS**

In the Office Action, the Examiner objected to the drawings because there are apparently two sets of the drawings for figures 1-5, one set including figures 1a, 1b and 2-5, and the other set including figures 1-5. Applicant has some confusion as to the different sets of figures the Examiner's referring to. Nevertheless, with respect to figures 1-5, the set of figures including 1a, 1b (as well as figures 2-5) is the appropriate set. In addition, the Brief Description of the Drawings section of the application has been amended to clarify the descriptions for figures 8a-8c and 9a-9c. Accordingly, it is respectfully requested that the Examiner withdraw the objection to the drawings.

### **REJECTION OF CLAIM 5 UNDER 35 USC §112, FIRST PARAGRAPH**

In the Office Action, the Examiner rejected claim 5 under 35 USC §112, first paragraph, for failure to comply with the enablement requirement. Claim 5 has been amended to further clarify its subject matter. As a result, it is submitted that the Examiner's rejection of claim 5 under the first paragraph of 35 USC 112 is moot. Therefore, is respectfully requested that the Examiner withdrawal the rejection to claim 5 under the first paragraph of 35 USC section 112.

### **REJECTION OF CLAIM 1-5 UNDER 35 USC §112, SECOND PARAGRAPH**

In the Office Action, the Examiner rejected claims 1-5 under 35 USC §112, first paragraph, as being indefinite. Namely, claims 1 and 4 have been amended in view of the Examiner's comments on page 3 of the Office Action. Therefore, it is noted that claims 1 and 4 (as well as all other claims) are sufficiently definite. Therefore, is respectfully requested that the Examiner withdrawal the rejection to claims 1-5 under the second paragraph of 35 USC section 112.

### **REJECTION OF CLAIMS 1 AND 2 UNDER 35 USC §102**

In the Office Action, the Examiner rejected claims 1 and 2 under 35 USC §102(b) as being anticipated by Sadler (U.S. Patent 5,416,537). This rejection is fully traversed below.

Sadler describes in eyeglass device having auxiliary lenses that are attached to eyeglass frames using magnetic members 13. As shown in FIG. 2, a pair of magnetic members 13 are located at positions which correspond to the temporal region of the wearer. See also, Sadler, column 2, lines 43-46. Hence, to mounts and auxiliary lenses over primary lenses, Sadler only uses a pair of magnetic members. In contrast, claim one recites that a first set of magnetic mounts includes at least four (4) magnetic mounts for each of the lenses of the eyeglass frame. Hence, with then eyeglass frame of to lenses, at least eight (8) magnetic mounts would be utilized. Additionally, a second complementary set of magnetic mounts, which are provided on the auxiliary lenses, are of the same number as the magnetic mounts of the first set. Hence, the combination eyeglass and auxiliary lens attachments of claim 1 Sadler. The benefits of using additional magnetic mounts are described in the application. Accordingly, it is submitted that claim 1 is dependently distinct from Sadler.

Based on the foregoing, it is submitted that claim 1 is patentably distinct from Sadler. In addition, it is submitted that dependent claim 2 is are also patentably distinct for at least the same reasons. Thus, it is respectfully requested that the Examiner withdraw the rejection of claims 1 and 2 under 35 USC §102(b).

## **SUMMARY**

It is submitted that claims 1-12 are patentably distinct from the cited references. Reconsideration of the application and an early Notice of Allowance are earnestly solicited.

If there are any issues remaining which the Examiner believes could be resolved through either a Supplemental Response or an Examiner's Amendment, the Examiner is respectfully requested to contact the undersigned attorney at the telephone number listed below.

Applicants hereby petition for an extension of time which may be required to maintain the pendency of this case, and any required fee for such extension or any further fee required in connection with the filing of this Amendment is to be charged to Deposit Account No. 50-0388.

Respectfully submitted,  
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